

## **REMARKS**

Claims 1-23 are pending in the present application. Claims 1, 5, and 6 have been amended to clarify that the gateway apparatus is located between a wired home telephone network and a wired network and is operative to electrically connect the wired home telephone network to the wired telephone network while bypassing said wireless telephone network. Support for the amendments are found, for example, in Fig. 1 and on page 4, lines 13-27 of the specification. No claims have been canceled and no new matter has been added. Applicant respectfully requests reconsideration and examination in view of the above amendments and the following remarks.

### **Claim rejections- 35 U.S.C. 102**

Claims 1-9, 11-17, 19, 22, and 23 were rejected under 35 U.S.C. 102(e) as being anticipated by Fintel (US 6,704,580), hereinafter "Fintel"). Applicant respectfully submits that Fintel does not teach or suggest each and every feature recited in independent claims 1, 6, 11, 15, and 19.

#### **Claim 1**

Amended claim 1 is drawn to an apparatus for providing a gateway between one or more wired telephones and a wireless telephone network where each of the telephones are directly connected to a wired home telephone network without modification. The apparatus comprises, among other features, (1) "a wireless radio operative to communicate with said wireless telephone network over a wireless communications link" and (2) "a controller, said controller operative to in response to determining that a one of said one or more wired telephones has been placed in an off hook state, establish a communications channel between said wired telephone interface and said wireless radio, thereby permitting said incoming telephone call to be received on said one of said wired telephones placed in an off hook state wherein said apparatus is located between said wired home telephone network and a wired network and is operative to electrically connect said wired home telephone network to said wired telephone network while bypassing said wireless radio."

The Office Action states that Fintel teaches an apparatus 8 of Fig. 1, described as a telephony system. (See Fintel column 1, lines 52-53). The Office Action compares the telephony system 8 to the gateway 2 of Fig. 1 in the present application. The Office Action also

states that Fintel teaches a wireless telephone network 30 of Fig 1, described as a public switched telephone network (PSTN). (See Fintel, column 2, lines 24-25). Applicant respectfully submits that the comparisons are not analogous and that the entire telephony system 8 cannot serve as an apparatus that provides a gateway between wired telephones and a wireless telephone network when the wired telephones 18 are part of the telephony system 8. Further, the PSTN 30 is typically described as a plain old telephone system (POTS). A wireless network may be utilized in conjunction with POTS or instead of POTS however a wireless telephone network is not the equivalent of POTS or PSTN. Thus, Applicant analyzes Fintel with respect to an apparatus 12, the docking station, and a cellular base station 20 with cell 22. (See Fig. 1 Fintel).

The Office Action acknowledges that the wired telephone network 16 of Fintel is analogous to the wired home telephone network 4 (Fig. 1) of the present application. Thus, Applicant analyzes the reference Fintel with respect to the PSTN 30 as a wired telephone network comparable to the wired telephone network 8 of the present application (Fig. 1.) As seen in Fig. 1 of Fintel the docking station 12 is not located between said wired home telephone network and a wired network. Thus, the docking station 12 is not operative to electrically connect said wired home telephone network to said wired telephone network while bypassing said wireless radio as recited in Applicant's amended claim 1. The only interaction the docking station 12 may have with the PSTN is via the use of channels established by the docked cellular phones 14. (See Fintel column 2, lines 27-30). Therefore, Applicants respectfully submits that amended claim 1 is allowable over Fintel.

#### Claim 6

Amended independent claim 6 is drawn to "a method for providing a gateway between a wired telephone directly connected to a wired home telephone network and a wireless telephone network." The method comprises, among other features (1) "detecting an incoming wireless telephone call over said wireless telephone network" and (2) "providing a ring signal to said wired telephone directly connected to said wired home network in response to detecting said incoming call wherein said gateway is located between said wired home telephone network and a wired network and is operative to electrically connect said wired home telephone network to said wired telephone network while bypassing said wireless telephone network." At least for the reasons stated above with regard to amended claim 1, Applicant respectfully submits that Fintel does not teach or suggest a gateway located between said wired home telephone network and a

wired network that is operative to electrically connect said wired home telephone network to said wired telephone network while bypassing said wireless telephone network. Thus, amended claim 6 is allowable over Fintel.

#### Claims 11 and 15

Fintel also does not teach or suggest each recitation of claim 11. In particular, Fintel does not teach or suggest "an apparatus for providing a gateway between one or more wired telephones and a wireless telephone network wherein said one or more wired telephones are directly connected to a wired home network", comprising, among other features, " a controller operative to (1) determine whether a connection between said one or more wired telephones and said wired telephone network is operative wherein said controller maintains a connection with said wired telephone network and said wireless telephone network and, (2) in response to determining that said connection between said one or more wired telephones and said wired network is inoperative, said controller further operative to cause said current source to deliver an electrical current to said one or more wired telephones compatible with POTS service.

The Office Action cites column 4, lines 54-59 in support of asserting Fintel teaches determining whether a connection is operative. The cited section discloses that the docking station 12 includes a telephone line plug to plug into the wall jack of a residential system. However, neither the cited section, nor the reference Fintel, mentions that the docking station 12 is operative to determine whether a connection between said one or more wired telephones and said wired telephone network is operative. Thus, the docking station 12 is not operative to (2) in response to determining that said connection between said one or more wired telephones and said wired network is inoperative, cause said current source to deliver an electrical current. At least for these reasons, amended claim 11 is allowable over Fintel.

Additionally, Fintel does not teach or suggest each recitation of independent claim 15. In particular, Fintel does not teach "a method for providing a gateway between one or more wired telephones and a wireless telephone network wherein said one or more wired telephones are directly connected to a wired home network." The method comprises, among other features, (1) "determining whether a connection between said one or more wired telephones directly connected to said wired home network and a wired telephone network is operative." At least for the reasons stated above with regard to claim 11, Applicant respectfully submits that amended claim 15 is allowable over Fintel.

Claim 19

Fintel also does not teach or suggest each recitation of independent claim 19. Specifically, Fintel does not teach or suggest a computer-controlled apparatus operative to, among other features, (1) "provide a second mode of operation in which said apparatus is operative to monitor an operational status of said wireless telephone network and to route a telephone call made from said wired home network via a wired telephone directly connected to said wired home telephone network through said wired telephone network in response to determining that said wireless telephone network is not operational while maintaining an inoperative connection with said wireless telephone network." At least for the reasons stated above with regard to amended claims 1 and 6 and claims 11 and 15, Applicant respectfully submits that Applicant's amended claim 19 is allowable over Fintel.

Claims 2-5, 7-9, 12-14, 16-17, and 22-23

At least because the recitation of claims 2-5, 7-9, 12-14, 16-17, and 22-23 are not taught by Fintel, and claims 2-5, 7-9, 12-14, 16-17, and 22-23 incorporate the features of allowable independent claims, claims 2-5, 7-9, 12-14, 16-17, and 22-23 are also allowable over Fintel.

**Claim rejections- 35 U.S.C. 103**

Claims 10, 18, and 20-21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Fintel in view of Schornack et al (US 5,946,616, hereinafter "Schornack"). Applicant respectfully submits that Fintel in view of Schornack does not teach each and every feature recited in independent claims 1, 6, 11, 15, and 19. At least because Fintel is deficient for the reasons stated above with regard to amended claims 1 and 6 and claims 11 and 15, Applicant respectfully submits that because claims 10, 18, and 20-21 incorporate the features of allowable independent claims, neither Fintel nor Schornack alone, or in combination teach or suggest Applicant's claimed invention as recited in claims 10, 18, and 20-21.

**Conclusion**


In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution

of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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